

JS 44 (Rev. 02/19)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

Justin Krendl, Administrator of the Estate of Matthew Krendl, deceased

(b) County of Residence of First Listed Plaintiff Van Wert
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

Curtis M. Fifner, Esq./Mark E. Defosse, Esq.
495 S. High Street, Suite 300, Columbus, OH 43215

DEFENDANTS

INTERMARK TRANSPORT, et al. and Petrisor Bogdan Adrian

County of Residence of First Listed Defendant Canada
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

Theresa A. Edwards, Esq. and Bradley J. Barmen
1375 E. Ninth Street, #2250, Cleveland, OH 44114

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☐ 2 U.S. Government Defendant
- ☐ 3 Federal Question (U.S. Government Not a Party)
- ☒ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|---------------------------------------|---------------------------------------|---|----------------------------|----------------------------|
| Citizen of This State | <input checked="" type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input checked="" type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: Nature of Suit Code Descriptions.

CONTRACT	REAL PROPERTY	PERSONAL INJURY	PRISONER PETITIONS	FOREIGN/REPEAL	LABOR	IMMIGRATION	BANKRUPTCY	PROPERTY RIGHTS	SOCIAL SECURITY	FEDERAL TAX SUITS	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input checked="" type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	PRISONER PETITIONS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other	<input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark	<input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g))	<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 485 Telephone Consumer Protection Act <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes

V. ORIGIN (Place an "X" in One Box Only)

- ☐ 1 Original Proceeding
- ☒ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from Another District (specify)
- ☐ 6 Multidistrict Litigation - Transfer
- ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
28 U.S.C. Sections 1332, 1441, 1446

Brief description of cause:

Plaintiff, on behalf of decedent's estate file a wrongful death action after an 8/28/17 motor vehicle accident

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No

VIII. RELATED OR REFILED

CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

09/30/2019

SIGNATURE OF ATTORNEY OF RECORD

Theresa A. Edwards

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF OHIO

I. Civil Categories: (Please check one category only).

1. ☒ General Civil
 2. ☐ Administrative Review/Social Security
 3. ☐ Habeas Corpus Death Penalty

*If under Title 28, §2255, name the SENTENCING JUDGE: _____

CASE NUMBER: _____

II. **RELATED OR REFILED CASES.** See LR 3.1 which provides in pertinent part: "If an action is filed or removed to this Court and assigned to a District Judge after which it is discontinued, dismissed or remanded to a State court, and subsequently refiled, it shall be assigned to the same Judge who received the initial case assignment without regard for the place of holding court in which the case was refiled. Counsel or a party without counsel shall be responsible for bringing such cases to the attention of the Court by responding to the questions included on the Civil Cover Sheet."

This action: ☐ is **RELATED** to another **PENDING** civil case ☐ is a **REFILED** case ☐ was **PREVIOUSLY REMANDED**

If applicable, please indicate on page 1 in section VIII, the name of the Judge and case number.

III. In accordance with Local Civil Rule 3.8, actions involving counties in the Eastern Division shall be filed at any of the divisional offices therein. Actions involving counties in the Western Division shall be filed at the Toledo office. For the purpose of determining the proper division, and for statistical reasons, the following information is requested.

ANSWER ONE PARAGRAPH ONLY. ANSWER PARAGRAPHS 1 THRU 3 IN ORDER. UPON FINDING WHICH PARAGRAPH APPLIES TO YOUR CASE, ANSWER IT AND STOP.

(1) **Resident defendant.** If the defendant resides in a county within this district, please set forth the name of such county

COUNTY: Medina

Corporation For the purpose of answering the above, a corporation is deemed to be a resident of that county in which it has its principal place of business in that district.

(2) **Non-Resident defendant.** If no defendant is a resident of a county in this district, please set forth the county wherein the cause of action arose or the event complained of occurred.

COUNTY:

(3) **Other Cases.** If no defendant is a resident of this district, or if the defendant is a corporation not having a principle place of business within the district, and the cause of action arose or the event complained of occurred outside this district, please set forth the county of the plaintiff's residence.

COUNTY:

IV. The Counties in the Northern District of Ohio are divided into divisions as shown below. After the county is determined in Section III, please check the appropriate division.

EASTERN DIVISION

☐

AKRON

(Counties: Carroll, Holmes, Portage, Stark, Summit, Tuscarawas and Wayne)

☒

CLEVELAND

(Counties: Ashland, Ashtabula, Crawford, Cuyahoga, Geauga, Lake, Lorain, Medina and Richland)

☐

YOUNGSTOWN

(Counties: Columbiana, Mahoning and Trumbull)

WESTERN DIVISION

☐

TOLEDO

(Counties: Allen, Auglaize, Defiance, Erie, Fulton, Hancock, Hardin, Henry, Huron, Lucas, Marion, Mercer, Ottawa, Paulding, Putnam, Sandusky, Seneca, VanWert, Williams, Wood and Wyandot)

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44**Authority For Civil Cover Sheet**

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I.(a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
- (b) County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
- (c) Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
 United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.
 United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
 Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
 Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; NOTE: federal question actions take precedence over diversity cases.)
- III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit.** Place an "X" in the appropriate box. If there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: [Nature of Suit Code Descriptions](#).
- V. Origin.** Place an "X" in one of the seven boxes.
 Original Proceedings. (1) Cases which originate in the United States district courts.
 Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441.
 Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
 Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
 Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
 Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.
 Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket. **PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7.** Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.
- VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service
- VII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.
 Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.
 Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases.** This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

Date and Attorney Signature. Date and sign the civil cover sheet.

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

JUSTIN KRENDL, Administrator of the Estate
of Matthew Krendl, deceased,

Plaintiff,

v.

INTERMARK TRANSPORT, et al.,

Defendants.

Case No.:

Judge:

Removed from State Court of Medina
County, Case No.: 19CIV0835

**NOTICE OF REMOVAL OF CIVIL
ACTION TO THE UNITED STATES
DISTRICT COURT**

PLEASE TAKE NOTICE Defendants Intermark Transport (“Intermark”) and Petrisor Bogdan Adrian (“Mr. Adrian,” jointly, “Defendants”), pursuant to Fed. R. Civ. P 81(c) and 28 U.S.C. §§ 1332, 1441, and 1446, hereby submit this Notice of Removal, requesting removal of the State Court of Medina County action described below to the United States District Court for the Northern District of Ohio, Eastern Division. In support of the removal of this action, Defendants state:

1. On or about August 23, 2019, Plaintiff Justin Krendl, Administrator of the Estate of Matthew Krendl (“Plaintiff”) filed suit against Defendants in the Medina County Court of Common Pleas, captioned *Justin Krendl, Administrator of the Estate of Matthew Krendl, deceased v. Intermark Transport, et al.*, Case No.: 19CIV0835 (the “State Court Action”). To date, the only documents filed in the State Court Action are the Complaint with Jury Demand and Returns of Service. Pursuant to 28 U.S.C. § 1446(a), a copy of all process, pleadings, and orders served upon these Defendants in the State Court Action are attached as Exhibit A.

2. On or about September 3, 2019, Intermark first received notice of Plaintiff's Complaint via certified mail. *See Exhibit A.* In accordance with the provisions of 28 U.S.C. §§ 1441 and 1446, this Notice of Removal to the United States District Court is timely filed within thirty (30) days of Intermark's receipt of the initial pleading. *See Exhibit A.*
3. Pursuant to 28 U.S.C. §1441(a), venue of this action exists in this District Court because the Medina County Court of Common Pleas is located within the Northern District of Ohio, Eastern Division.
4. While Mr. Adrian has yet to be served by Plaintiff, he consents to the filing of this Notice of Removal.
5. According to Plaintiff's Complaint, Plaintiff is a resident of Ohio. *See Exhibit A.*
6. Intermark is a foreign corporation with its principal place of business in La Prairie, Quebec, Canada. *See Exhibit A.*
7. Mr. Adrian is a resident of Anjou, Quebec, Canada. *See Exhibit A.*
8. Thus, there exists complete diversity of citizenship between Plaintiff and Defendants.
9. As stated in his Complaint, due to the alleged negligence of Defendants, Plaintiff seeks to recover damages on behalf of the Estate of Matthew Krendl for the alleged wrongful death of Matthew Krendl as well as for the alleged severe emotional distress, mental anguish, and pre-death terror Matthew Krendl experienced prior to his death.
10. Plaintiff's Complaint requests damages on behalf of the survivors of Matthew Krendl and other next-of-kin for loss of support, loss of services, loss of society, mental anguish, funeral and burial expenses, and loss of prospective inheritance.

11. Plaintiff's claims and alleged damages underlie an amount in controversy in excess of \$75,000.00. The amount in controversy therefore exceeds \$75,000.00, exclusive of interest and costs.
12. This action is therefore one over which this Court has diversity jurisdiction pursuant to 28 U.S.C. § 1332, in that Plaintiff and Defendants are citizens of different countries and the value of the matter in controversy, exclusive of interest and costs exceeds, \$75,000.00.
13. The State Court of Medina County, Ohio is situated within the jurisdiction of the United States District Court for the Northern District of Ohio, Eastern Division, making this the appropriate forum to entertain this action pursuant to 28 U.S.C. ¶ 1441(a).
14. As required, Defendants have given written notice of the filing of this Notice of Removal to Curtis M. Fifner, counsel of record for Plaintiff, and will promptly file a copy of this Notice of Removal with the Clerk for the Medina County Court of Common Pleas. A copy of Defendants' Notice of Filing Notice of Removal of Civil Action to the United States District Court is attached as Exhibit B.

WHEREFORE, Defendants respectfully request this matter be placed on the docket of this Court and the State Court of Medina County, Ohio, be enjoined from further proceedings in this matter.

Respectfully submitted this 30th day of September, 2019.

/s/Theresa A. Edwards

Theresa A. Edwards (0090971)

Bradley J. Barmen (0076515)

LEWIS BRISBOIS BISGAARD & SMITH LLP

1375 E. 9th Street, Suite 2250

Cleveland, Ohio 44114

Tel. 216.344.9422 Fax 216.344.9421

Tera.Edwards@lewisbrisbois.com

Brad.Barmen@lewisbrisbois.com

*Counsel for Defendants Intermark Transport and
Petrisor Bogdan Adrian*

CERTIFICATE OF SERVICE

I hereby certify on this 30th day of September, 2019, a true and correct copy of the foregoing was sent to the Clerk of Courts for filing, and a copy was sent via electronic mail to the following:

Curtis M. Fifner, Esq.

Mark E. Defossez, Esq.

Donahey, Defossez & Evans

495 S. High Street, Suite 300

Columbus, Ohio 43215

cfifner@donaheylaw.com

mdefossez@donaheylaw.com

Counsel for Plaintiff

/s/Theresa A. Edwards

Theresa A. Edwards (0090971)

Bradley J. Barmen (0076515)

LEWIS BRISBOIS BISGAARD & SMITH LLP

*Counsel for Defendants Intermark Transport and
Petrisor Bogdan Adrian*

COPY

IN THE COURT OF COMMON PLEAS,
MEDINA COUNTY, OHIO

COMMON PLEAS COURT

2019 AUG 23 PM 3: 23

JUSTIN KRENDL, Administrator of the
Estate of Matthew Krendl, deceased
23464 Pohlman Road
Delphos, Ohio 45833

Case No.

Plaintiff,

vs.

Judge

INTERMARK TRANSPORT
c/o DOTPROCESSAGENTS.COM, LLC
1410 N. Porter Ave
Norman, OK 73070

JOYCE V. KIMBLER, JUDGE

and

Case Designation: C- Other Torts

PETRISOR BOGDAN ADRIAN
7000 Av Ronsard
Anjou, Quebec, Canada H1J 1Y5

Defendants.

COMPLAINT WITH JURY
DEMAND ENDORSED HEREON

COUNT ONE: WRONGFUL DEATH

1. Plaintiff Justin Krendl was appointed Administrator of the Estate of Matthew Krendl by the Probate Court of Van Wert County, Ohio on October 25, 2017. It is Probate Case Number 20171140. He brings this action on behalf of the Estate as a survivorship and wrongful death action on behalf of the survivors and beneficiaries of Matthew Krendl pursuant to Ohio Revised Code Section 2125.
2. Defendant Intermark Transport is a (Defendant Intermark) is a foreign corporation with a principal place of business in La Prairie, Quebec, Canada.
3. Defendant Petrisor Bogdan Adrian (Defendant Adrian) is a natural person residing in Anjou, Quebec, Canada.




COPY

4. On or about August 28, 2017, Defendant Adrian, while in the course of and arising out of his employment with Defendant Intermark, negligently operated his vehicle by failing to maintain reasonable control and failing to maintain an assured clear distance, causing injuries and the subsequent wrongful death of Plaintiff's decedent, Matthew Krendl.
5. Defendant Intermark is the employer of Defendant Adrian, and is directly responsible for his actions and omissions under the doctrine of *respondeat superior*.
6. As a direct and proximate result of said negligence, Plaintiff's decedent, Matthew Krendl suffered severe bodily injury, pain and suffering, a permanent and substantial physical deformity, the loss of use of a limb, and the loss of at least one bodily organ system.
7. Prior to his wrongful and untimely death, Plaintiff's decedent, Matthew Krendl, endured severe emotional distress, mental anguish, and pre-death terror.
8. As a further direct and proximate result of the negligent acts and omissions of Defendants Intermark and Adrian and the resultant wrongful death of Plaintiff's decedent, Matthew Krendl, the survivors of Plaintiff's decedent, and other next-of-kin, suffered damages which include one or more of the following:
 - A. Loss of support from the reasonably expected earning capacity of Plaintiff's decedent;
 - B. Loss of services of Plaintiff's decedent;

COPY

- C. Loss of society of Plaintiff's decedent, including loss of companionship, care assistance, attention, protection, advice, guidance, counsel, instruction, training and education;
 - D. Mental anguish from the wrongful death of Plaintiff's decedent;
 - E. Funeral and burial expenses for decedent in an amount to be determined at trial; and
 - F. Loss of prospective inheritance.
9. The foregoing entitle decedents' survivors to compensation in an amount reasonable, proper and commensurate with their losses herein.

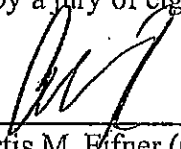
WHEREFORE, Plaintiff demands money damages to which he is entitled against the defendants in excess of \$25,000 each, and for all other relief to which he is entitled in law and equity.



Mark E. Defossez (0054578)
Curtis M. Fifner (0082599)
Donahey, Defossez & Evans
495 S. High Street, Suite 300
Columbus, OH 43215
Phone: (614) 224-8166
Fax: (614) 849-0475
Email: cfifner@donahey.com
Attorneys for Plaintiff

JURY DEMAND

Plaintiff requests that this case be heard by a jury of eight.



Curtis M. Fifner (0082599)
Attorney for Plaintiff

COPY

IN THE COURT OF COMMON PLEAS,
MEDINA COUNTY, OHIO

COMMON PLEAS COURT

JUSTIN KRENDL,

Case No.:

2019 AUG 23 PM 3:23

Plaintiff,

FILED
19CIV0835
DAVID B. WADSWORTH
MEDINA COUNTY
CLERK OF COURTS

v.

Judge:

INTERMARK TRANSPORT, INC., et al., :

JOYCE V. KIMBLER, JUDGE

Defendants. :

INSTRUCTIONS FOR SERVICE

To the Clerk:

Please issue a summons for service on the complaint via certified mail for the defendants at the following addresses:

INTERMARK TRANSPORT
c/o DOTPROCESSAGENTS.COM, LLC
1410 N. Porter Ave
Norman, OK 73070

PETRISOR BOGDAN ADRIAN
7000 Av Ronsard
Anjou, Quebec, Canada H1J 1Y5

Please also fill out the Attestation/Certificate and serve a copy of the Request for Service Abroad of Judicial or Extrajudicial Documents pursuant to the Hague Convention on:

PETRISOR BOGDAN ADRIAN
7000 Av Ronsard
Anjou, Quebec, Canada H1J 1Y5

COPY

Respectfully submitted,



Curtis M. Ffner (0082599)
Donahey & Defossez
495 S. High Street, Suite 300
Columbus, Ohio 43215
Phone: (614) 224-8166
Fax: (614) 849-0475
Email: cfifner@donahey.com
Attorney for Plaintiff

COPY

19CI V0835

**REQUEST
FOR SERVICE ABROAD OF JUDICIAL OR
EXTRAJUDICIAL DOCUMENTS**
**DEMANDE AUX FINS DE SIGNIFICATION OU DE NOTIFICATION À L'ÉTRANGER
D'UN ACTE JUDICIAIRE OU EXTRAJUDICIAIRE**

Convention on the Service Abroad of Judicial and Extrajudicial Documents in
Civil or Commercial Matters, signed at The Hague, the 15th of November 1965.
Convention relative à la signification et à la notification à l'étranger des actes judiciaires ou extrajudiciaires en
matière civile ou commerciale, signée à La Haye le 15 novembre 1965.

Identity and address of the applicant
Identité et adresse du requérant
Justin Krendl, Administrator
23464 Pohlman Road
Delphos, OH 45833

Address of receiving authority
Adresse de l'autorité destinataire
Medina County Clerk of Courts
93 Public Square
Medina, OH 44266

FILED
DAVID B. WADSWORTH
MEDINA COUNTY
CLERK OF COURTS

2019 AUG 23 PM 3:24

COMMON PLEAS COURT

The undersigned applicant has the honour to transmit - in duplicate - the documents requested below and, in conformity with Article 5 of the above-mentioned Convention, requests the prompt service of one copy thereof on the addressee, i.e.:

Le requérant soussigné a l'honneur de faire parvenir - en double exemplaire - à l'autorité destinataire les documents ci-dessous énumérés, en la priant, conformément à l'article 5 de la Convention précitée, d'en faire remettre sans retard un exemplaire au destinataire, à savoir :

(Identity and address)
(Identité et adresse)
Petrisor Bogdan Adrian
7000 Av Ronsard
Anjou, Quebec, Canada H1J 1Y5

<input type="checkbox"/>	a) in accordance with the provisions of sub-paragraph a) of the first paragraph of Article 5 of the Convention* selon les formes légales (article 5, alinéa premier, lettre a)*)
<input checked="" type="checkbox"/>	b) in accordance with the following particular method (sub-paragraph b) of the first paragraph of Article 5)*: selon la forme particulière suivante (article 5, alinéa premier, lettre b)* : Certified Mail, return receipt requested (See Instructions for Service)
<input type="checkbox"/>	c) by delivery to the addressee, if he accepts it voluntarily (second paragraph of Article 5)* le cas échéant, par remise simple (article 5, alinéa 2)*)

The authority is requested to return or to have returned to the applicant a copy of the documents - and of the annexes* - with the attached certificate.

Cette autorité est priée de renvoyer ou de faire renvoyer au requérant un exemplaire de l'acte - et de ses annexes* - avec l'attestation ci-jointe.

List of documents / Énumération des pièces

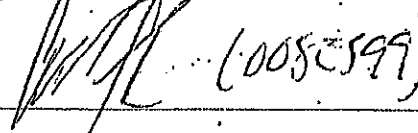
- Complaint
- Summons

* if appropriate / s'il y a lieu

Done at / Fait à 495 South High Street, Suite 300,
Columbus, OH 43215,

The / le 22 August, 2019

Signature and/or stamp
Signature et / ou cachet



COPY

CERTIFICATE ATTESTATION

The undersigned authority has the honour to certify, in conformity with Article 6 of the Convention,
L'autorité soussignée a l'honneur d'attester conformément à l'article 6 de ladite Convention,

- ☐ 1. that the document has been served*
que la demande a été exécutée*

→ the (date) / le (date):	
→ at (place, street, number): à (localité, rue, numéro):	

→ In one of the following methods authorised by Article 5: dans une des formes suivantes prévues à l'article 5:	
<input type="checkbox"/> a)	In accordance with the provisions of sub-paragraph a) of the first paragraph of Article 5 of the Convention* selon les formes légales (article 5, alinéa premier, lettre a))*
<input type="checkbox"/> b)	In accordance with the following particular method*: selon la forme particulière suivante*:
<input type="checkbox"/> c)	by delivery to the addressee, if he accepts it voluntarily* par remise simple*

The documents referred to in the request have been delivered to:
Les documents mentionnés dans la demande ont été remis à :

Identity and description of person: Identité et qualité de la personne:	
Relationship to the addressee (family, business, or other): Liens de parenté, de subordination ou autres, avec le destinataire de l'acte:	

- ☐ 2. that the document has not been served, by reason of the following facts*:
que la demande n'a pas été exécutée, en raison des faits suivants*:

--

- ☐ In conformity with the second paragraph of Article 12 of the Convention, the applicant is requested to pay or reimburse the expenses detailed in the attached statement*.
Conformément à l'article 12, alinéa 2, de ladite Convention, le requérant est prié de payer ou de rembourser les frais dont le détail figure au mémoire ci-joint*.

Annexes / Annexes

Documents returned: Pièces renvoyées:	
In appropriate cases, documents establishing the service: Le cas échéant, les documents justificatifs de l'exécution:	

* if appropriate / s'il y a lieu

Done at / Fait à The / le	Signature and/or stamp Signature et / ou cachet
----------------------------------	--

COPY

WARNING
AVERTISSEMENT

Identity and address of the addressee

Identité et adresse du destinataire

Petrisor Bogdan Adrian

7000 Av. Ronsard

Anjou, Québec, Canada H1J 1Y5

IMPORTANT

THE ENCLOSED DOCUMENT IS OF A LEGAL NATURE AND MAY AFFECT YOUR RIGHTS AND OBLIGATIONS. THE 'SUMMARY OF THE DOCUMENT TO BE SERVED' WILL GIVE YOU SOME INFORMATION ABOUT ITS NATURE AND PURPOSE. YOU SHOULD HOWEVER READ THE DOCUMENT ITSELF CAREFULLY. IT MAY BE NECESSARY TO SEEK LEGAL ADVICE.

IF YOUR FINANCIAL RESOURCES ARE INSUFFICIENT YOU SHOULD SEEK INFORMATION ON THE POSSIBILITY OF OBTAINING LEGAL AID OR ADVICE EITHER IN THE COUNTRY WHERE YOU LIVE OR IN THE COUNTRY WHERE THE DOCUMENT WAS ISSUED.

ENQUIRIES ABOUT THE AVAILABILITY OF LEGAL AID OR ADVICE IN THE COUNTRY WHERE THE DOCUMENT WAS ISSUED MAY BE DIRECTED TO:

TRÈS IMPORTANT

LE DOCUMENT CI-JOINT EST DE NATURE JURIDIQUE ET PEUT AFFECTER VOS DROITS ET OBLIGATIONS. LES « ÉLÉMENTS ESSENTIELS DE L'ACTE » VOUS DONNENT QUELQUES INFORMATIONS SUR SA NATURE ET SON OBJET. IL EST TOUTEFOIS INDISPENSABLE DE LIRE ATTENTIVEMENT LE TEXTE MÊME DU DOCUMENT. IL PEUT ÊTRE NÉCESSAIRE DE DEMANDER UN AVIS JURIDIQUE.

SI VOS RESSOURCES SONT INSUFFISANTES, RENSEIGNEZ-VOUS SUR LA POSSIBILITÉ D'OBTENIR L'ASSISTANCE JUDICIAIRE ET LA CONSULTATION JURIDIQUE, SOIT DANS VOTRE PAYS, SOIT DANS LE PAYS D'ORIGINE DU DOCUMENT.

LES DEMANDES DE RENSEIGNEMENTS SUR LES POSSIBILITÉS D'OBTENIR L'ASSISTANCE JUDICIAIRE OU LA CONSULTATION JURIDIQUE DANS LE PAYS D'ORIGINE DU DOCUMENT PEUVENT ÊTRE ADRESSÉES À :

Medina County Clerk of Courts

93 Public Square

Medina, Ohio 44256

330-725-9722

It is recommended that the standard terms in the notice be written in English and French and where appropriate also in the official language, or in one of the official languages of the State in which the document originated. The blanks could be completed either in the language of the State to which the document is to be sent, or in English or French.

Il est recommandé que les mentions imprimées dans cette note soient rédigées en langue française et en langue anglaise et le cas échéant, en outre, dans la langue ou l'une des langues officielles de l'Etat d'origine de l'acte. Les blancs pourraient être remplis, soit dans la langue de l'Etat où le document doit être adressé, soit en langue française, soit en langue anglaise.

COPY

SUMMARY OF THE DOCUMENT TO BE SERVED

ÉLÉMENTS ESSENTIELS DE L'ACTE

Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters, signed at The Hague, the 15th of November 1965 (Article 5, fourth paragraph).

Convention relative à la signification et à la notification à l'étranger des actes judiciaires ou extrajudiciaires en matière civile ou commerciale, signée à La Haye le 15 novembre 1965 (article 5, alinéa 4).

Name and address of the requesting authority: Nom et adresse de l'autorité requérante :	Curtis M Fifer 495 South High Street, Suite 300 Columbus, OH 43215 614-224-8166 cffifer@donaheyilaw.com
---	---

Particulars of the parties*: Identité des parties* :	Plaintiff- Justin Krendl, 23464 Pohlman Road, Delphos, OH 45833 Defendant #1- Intermark Transport, Inc., DOTPROCESSAGENTS.COM, LLC, 1410 N. Porter Ave, Norman, OK 74070 Defendant #2- Petrisor Bogdan Adrian, 7000 Ay. Ronsard, Anjou, Quebec, Canada H1J 1X5
--	--

* If appropriate, identify and address of the person interested in the transmission of the document
 S'il y a lieu, l'identité et l'adresse de la personne intéressée à la transmission de l'acte

☐ **JUDICIAL DOCUMENT****
ACTE JUDICIAIRE**

Nature and purpose of the document: Nature et objet de l'acte :	
Nature and purpose of the proceedings and, when appropriate, the amount in dispute: Nature et objet de l'instance, le cas échéant, le montant du litige :	
Date and Place for entering appearance**: Date et lieu de la comparution** :	
Court which has given judgment**: Juridiction qui a rendu la décision** :	
Date of judgment**: Date de la décision** :	
Time limits stated in the document**: Indication des délais figurant dans l'acte** :	

** If appropriate / s'il y a lieu

☐ **EXTRAJUDICIAL DOCUMENT****
ACTE EXTRAJUDICIAIRE**

Nature and purpose of the document: Nature et objet de l'acte :	
Time limits stated in the document**: Indication des délais figurant dans l'acte** :	

** If appropriate / s'il y a lieu

COPY

SUMMONS

Rule 4 1970 Ohio Rules of Civil Procedure
Court of Common Pleas, Medina County, 93 Public Square, Medina, OH 44256

Case #: 19CIV0835

To the following:

**INTERMARK TRANSPORT
C/O DOTPROCESSAGENTS.COM LLC
1410 N PORTER AVE
NORMAN, OK 73070**

You have been named as defendant in a complaint filed in the Medina County Court of Common Pleas by the following plaintiff: JUSTIN KRENDL

A COPY OF THE COMPLAINT IS ATTACHED HERETO

You are hereby summoned and required to serve upon the plaintiff's attorney, or upon the plaintiff if he has no attorney of record, a copy of your answer to this complaint within **twenty-eight (28) days** after the service of this summons upon you, excluding the date of service. Your answer must be filed with the court within **three (3) days** after the service of a copy of the answer on the plaintiff's attorney, or upon the plaintiff if there is no attorney of record.

The name and address of the plaintiff's attorney is as follows:

**CURTIS M FIFNER
DONAHEY DEFOSSEZ & EVANS
495 S HIGH STREET STE 300
COLUMBUS, OH 43215**

Failure to appear and present a defense to this complaint will result in a judgment by default being rendered against you for the relief demanded in the complaint.

8/28/2019



DAVID B. WADSWORTH
Clerk of Courts

By: AP, Deputy Clerk

COPY

SUMMONS

Rule 4 1970 Ohio Rules of Civil Procedure
Court of Common Pleas, Medina County, 93 Public Square, Medina, OH 44256

Case #: 19CIV0835

To the following:

**PETRISOR BOGDAN ADRIAN
7000 AV RONSARD
ANJOU, QUEBEC, CN H1J1Y5**

You have been named as defendant in a complaint filed in the Medina County Court of Common Pleas by the following plaintiff: JUSTIN KRENDL

A COPY OF THE COMPLAINT IS ATTACHED HERETO

You are hereby summoned and required to serve upon the plaintiff's attorney, or upon the plaintiff if he has no attorney of record, a copy of your answer to this complaint within **twenty-eight (28) days** after the service of this summons upon you, excluding the date of service. Your answer must be filed with the court within **three (3) days** after the service of a copy of the answer on the plaintiff's attorney, or upon the plaintiff if there is no attorney of record.

The name and address of the plaintiff's attorney is as follows:

**CURTIS M FIFNER
DONAHEY DEFOSSEZ & EVANS
495 S HIGH STREET STE 300
COLUMBUS, OH 43215**

Failure to appear and present a defense to this complaint will result in a judgment by default being rendered against you for the relief demanded in the complaint.

8/28/2019



DAVID B. WADSWORTH
Clerk of Courts

By: AP, Deputy Clerk

U.S. Postal Service
CERTIFIED MAIL® RECEIPT
 Domestic Mail Only

USPS® ARTICLE NUMBER

9414 7266 9904 2120 7227 20

Registered Mail Fee	\$	Postmark Here 8-28-19
Return Receipt (Hardcopy)	\$	
Return Receipt (Electronic)	\$	
Registered Mail Restricted Delivery	\$	
Insurance	\$	
Total Postage and Fees	\$6.80	

Delivered to:

INTERMARK TRANSPORT
 C/O DOTPROCESSAGENTS.COM LLC
 1410 N PORTER AVE
 NORMAN OK 73070

Reference Information

19CIV0835

COPY
WALZ

Certified Mail Automation

A Solution of LenderLife Services, LLC

Walz Certified Mailer™ form #45663

Version E0218

Used with WCM Plus™ software



9590 9266 9904 2120 7227 23

or contact WALZ at:

Email: sales@walzpostal.com

Toll Free: (800) 381-3811

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To Be Completed By Post Office	Postage \$	Extra Services & Fees (continued)
	Extra Services & Fees	<input type="checkbox"/> Signature Confirmation
	<input type="checkbox"/> Registered Mail \$	\$
	<input type="checkbox"/> Return Receipt (hardcopy) \$	<input type="checkbox"/> Signature Confirmation Restricted Delivery
	<input type="checkbox"/> Return Receipt (electronic) \$	\$
	<input type="checkbox"/> Restricted Delivery \$	Total Postage & Fees
		\$
Customer Must Declare Full Value	Received by	Domestic Insurance up to \$50,000 is included based upon the declared value. International Indemnity is limited. (See Reverse).
\$		

OFFICIAL USE

To Be Completed By Customer (Please Print) All Entries Must Be in Ballpoint or Typed	FROM	Medina County Clerk of Courts 93 Public Square Rm 129 Medina OH 44266 19 CIV 0835
	TO	Petrisor Bogdan Adrian 7000 Av Ronsard Anjou, Quebec, CN H1J 1Y5

PS Form 3806, Registered Mail Receipt

Copy 1 - Customer

April 2015, PSN 7530-02-000-9051

(See Information on Reverse)

For domestic delivery information, visit our website at www.usps.com®

COPY

Declaration of Value: You must declare the full value of each Registered Mail™ article at the time of mailing.

Insurance Coverage:

Domestic: Insurance up to \$50,000 is included in the Registered Mail fee. Indemnity is limited to the amount of declared value. Insurance is provided only in accordance with Postal Service™ regulations in the Domestic Mail Manual (DMM®) which sets forth the specific types of coverage, terms of insurance, and conditions of payment. The DMM is available online at <http://pe.usps.com>. Limitations on coverage include, but are not limited to, the following:

Coverage extends to the least of (1) the actual (depreciated) value of the contents at the time of mailing, (2) the cost of repairs, or (3) the limit fixed for the insurance coverage obtained.

No coverage is provided for articles improperly packaged or too fragile to withstand normal handling, concealed damage, spoilage of perishable items, prohibited articles, consequential losses, or delay.

Other limitations are set forth in the DMM. Coverage terms and limitations are subject to change.

International: Indemnity coverage for international registered mail is limited to the maximum set by the Convention of the Universal Postal Union. See the International Mail Manual (IMM®) and individual Country Listings online at <http://pe.usps.com> for limitations of coverage, prohibitions, and restrictions. The sender receives payment for an international claim for a lost article or for damaged and/or missing contents, unless the sender waives the right to payment; in writing, in favor of the addressee.

Filing a Domestic Claim

Claim for loss: File a claim no sooner than 15 days but no later than 60 days from the mailing date — for an APO/FPO/DPO item, file no later than 1 year from the mailing date. Retain the original mailing receipt and proof of value.

Claim for damage or missing contents: File a claim immediately but no later than 60 days from the mailing date. Retain the original mailing receipt and proof of value, and also retain the article and mailing container.

Please file your domestic claim online at www.usps.com/domestic-claims. If you are unable to file online, call toll free 800-275-8777 for additional information.

Filing an International Claim

Before initiating an inquiry on an item mailed to a foreign country, allow sufficient time for delivery of the mailpiece in the foreign country.

To report the loss, damage, or missing contents of an item sent to a foreign country, please call our International Research Group at 800-222-1811. You will be asked to provide the relevant information regarding the item, including but not limited to the following: 1) item number appearing under the barcode; 2) names, addresses, and telephone numbers of the mailer and addressee; and 3) date of mailing.

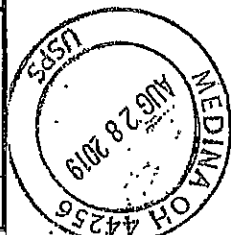
The International Research Group will correspond with the respective post in the foreign country. Upon determination that a claim for the item should be initiated, we will provide you with a claim packet, which includes instructions on how to complete and submit the claim.

Inquiries and claims for loss of an international registered item must be filed within 8 months of the date of the mailing. File an inquiry for damage or for complete or partial loss of contents immediately but no later than 60 days from the mailing date.

COPY 55787897US

To Be Completed By Post Office	Postage \$	Extra Services & Fees (continued)
	Extra Services & Fees	<input type="checkbox"/> Signature Confirmation
	<input type="checkbox"/> Registered Mail \$	\$
	<input type="checkbox"/> Return Receipt (hardcopy) \$	<input type="checkbox"/> Signature Confirmation Restricted Delivery
	<input type="checkbox"/> Return Receipt (electronic) \$	\$
	<input type="checkbox"/> Restricted Delivery \$	Total Postage & Fees
	Customer Must Declare Full Value	Received by
	\$	

Domestic Insurance up to \$50,000
is included based upon the
declared value, international
indemnity is limited. (See Reverse).



OFFICIAL USE

To Be Completed By Customer (Please Print) All Entries Must Be In Ballpoint or Typed	FROM	Medina County Clerk of Courts 93 Public Square Rm 129 Medina OH 44256 19CIV0835
	TO	Petrusor Bogdan Adrian 7000 Av Ronsard Anjou, Quebec, CN H1T7Y5

PS Form 3806, Registered Mail Receipt

Copy 1 - Customer

April 2015, PSN 7530-02-000-9051

(See Information on Reverse)

For domestic delivery information, visit our website at www.usps.com®

COPY

Declaration of Value: You must declare the full value of each Registered Mail™ article at the time of mailing.

Insurance Coverage:

Domestic: Insurance up to \$50,000 is included in the Registered Mail fee. Indemnity is limited to the amount of declared value. Insurance is provided only in accordance with Postal Service™ regulations in the Domestic Mail Manual (DMM®) which sets forth the specific types of coverage, terms of insurance, and conditions of payment. The DMM is available online at <http://pe.usps.com>. Limitations on coverage include, but are not limited to, the following:

Coverage extends to the least of (1) the actual (depreciated) value of the contents at the time of mailing, (2) the cost of repairs, or (3) the limit fixed for the insurance coverage obtained.

No coverage is provided for articles improperly packaged or too fragile to withstand normal handling, concealed damage, spoilage of perishable items, prohibited articles, consequential losses, or delay.

Other limitations are set forth in the DMM. Coverage terms and limitations are subject to change.

International: Indemnity coverage for International Registered Mail is limited to the maximum set by the Convention of the Universal Postal Union, as the International Mail Manual (IMM®) and individual Country Listings online at <http://pe.usps.com> for limitations of coverage, prohibitions, and restrictions. The sender receives payment for an international claim for a lost article or for damaged and/or missing contents, unless the sender waives the right to payment, in writing, in favor of the addressee.

Filing a Domestic Claim

Claim for loss: File a claim no sooner than 15 days but no later than 60 days from the mailing date — for an APO/FPO/DPO item, file no later than 1 year from the mailing date. Retain the original mailing receipt and proof of value.

Claim for damage or missing contents: File a claim immediately but no later than 60 days from the mailing date. Retain the original mailing receipt and proof of value, and also retain the article and mailing container.

Please file your domestic claim online at www.usps.com/domestic-claims. If you are unable to file online, call toll free 800-275-8777 for additional information.

Filing an International Claim

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To report the loss, damage, or missing contents of an item sent to a foreign country, please call our International Research Group at 800-222-1811. You will be asked to provide the relevant information regarding the item, including but not limited to the following: 1) item number appearing under the barcode; 2) names, addresses, and telephone numbers of the mailer and addressee; and 3) date of mailing.

The International Research Group will correspond with the respective post in the foreign country. Upon determination that a claim for the item should be initiated, we will provide you with a claim packet, which includes instructions on how to complete and submit the claim.

Inquiries and claims for loss of an international registered item must be filed within 6 months of the date of the mailing. File an inquiry for damage or for complete or partial loss of contents immediately but no later than 60 days from the mailing date.

COPY

Petrisor Bogdan
Adrian
Quebec
CN

MEDINA
303 N COURT ST
MEDINA, OH 44256-9998
385047-0256
(800)275-8777
08/28/2019 01:23 PM

Product	Qty	Unit Price	Price
First-Class Intl Letter (International) (Canada) (Weight:0 Lb 1.70 Oz) Registered (Amount:\$0.01) Return Receipt	1	\$1.15	\$1.15
First-Class Intl Letter (International) (Canada) (Weight:0 Lb 0.80 Oz) Registered (Amount:\$0.01) Return Receipt	1	\$1.15	\$1.15
Total:			\$42.50
Cash			\$43.00
Change			(\$0.50)

In a hurry? Self-service kiosks offer quick and easy check-out. Any Retail Associate can show you how.

Save this receipt as evidence of insurance. For information on filing an insurance claim go to <https://www.usps.com/help/claims.htm>

Preview your Mail
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Sign up for FREE @
www.informedelivery.com

Please visit
<https://www.usps.com/international/customs-forms.htm> to complete International Mail customs forms online and to ship packages from your home or office using Click-N-Ship(R) service.

All sales final on stamps and postage.
Refunds for guaranteed services only.
Thank you for your business.

HELP US SERVE YOU BETTER

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POSTAL EXPERIENCE

Go to:
<https://postalexperience.com/Pos>

840-5442-0199-002-00022-58812-02

or scan this code with
your mobile device:

COPY

COPY



9590 9266 9904 2120 7227 23

Article Addressed to:

INTERMARK TRANSPORT
C/O DOTPROCESSAGENTS.COM LLC
1410 N PORTER AVE
NORMAN OK 73070

Certified Mail (Form 3800) Article Number

9414 7266 9904 2120 7227 20

Form 3811, Facsimile, July 2015

A. Signature <u>SPAWN</u>		<input type="checkbox"/> Agent
B. Received by (Printed Name) <u>SPAWN</u>		<input type="checkbox"/> Addressee
C. Date of Delivery <u>9-3-19</u>		
D. Is delivery address different from item 1? <u>Yes</u>		<input type="checkbox"/> Yes <input type="checkbox"/> No
If YES, enter delivery address below:		
3. Service Type: <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Certified Mail Restricted Delivery		
Reference Information 19CIV0835		

Domestic Return Receipt

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10



COPY USPS TRACKING #
9590 9286 7104 2120 7227 23

• Sender: Please print your name, address and ZIP+4® below •

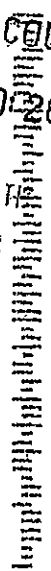
**United States
Postal Service®**



**DAVID B WADSWORTH
MEDINA COUNTY CLERK OF COURTS
93 PUBLIC SQUARE ROOM 129
MEDINA OH 44256-2292**

**COMMON PLEAS COURT
2019 SEP 26 AM 10:26**

**DAVID B WADSWORTH
MEDINA COUNTY CLERK OF COURTS**



DAVID B. WADSWORTH
MEDINA COUNTY
CLERK OF COURTS
83 PUBLIC SQUARE ROOM 129
MEDINA, OH 44125-2192

COMMON PLEAS
LEGAL DIVISION
FILED
SEP 19 2019
DAVID B. WADSWORTH
CLERK OF COURTS
MEDINA COUNTY

Reason: Incomplete address
Raison : Adresse incomplete
19CI
PETI
7000
ANJ

RE

2

RTS
RAE
H4M 1X0

International Registered | Recommandé - international

RE 055 187 883 US

9400

UNITED STATES
POSTAL SERVICE

00250

U.S. POSTAGE PAID
POST OFFICE
MEDINA, OH
44125-2192
AUG 28, 19
AMOUNT

\$21.25
R2304M11322-D2

SEP 4 2019
POST OFFICE
MEDINA, OH

CN 15

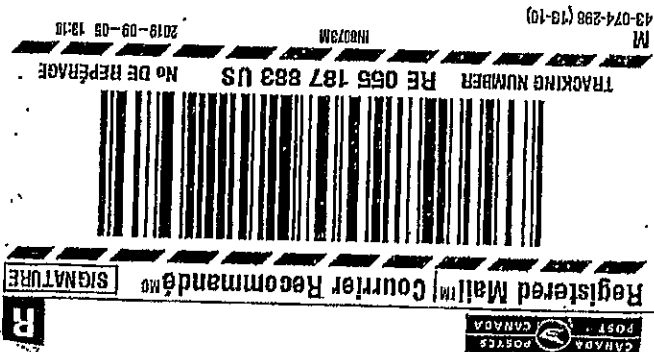
COPY

Item Description (Nature de l'envoi)		Registered <input type="checkbox"/> Article (Envol recommandé)	Letter <input type="checkbox"/> (Lettre)	Printed <input type="checkbox"/> Matter (Imprimé)	Other <input type="checkbox"/> (Autre)	Express <input type="checkbox"/> Mail International
<input type="checkbox"/> Insured Parcel (Colis avec valeur déclarée)		Insured Value (Valeur déclarée)		Article Number		
Office of Mailing (Bureau de dépôt)		Date of Posting (Date de dépôt)				
Addressee Name or Firm (Nom ou raison sociale du destinataire) Petrisor Bogdan Adrian						
Street and No. (Rue et No.) 7000 Av Ronsard						
Place and Country (Localité et pays) Anjou, Quebec, Canada H1T 1Y5						
Completed at destination. (A compléter à destination.)		Signature of Addressee (Signature du destinataire)		Office of Destination Employee Signature (Signature de l'agent du bureau du destination)		Date
Completed by the office of origin. (A remplir par le bureau d'origine.)		The article mentioned above was duly delivered. (L'envoi mentionné ci-dessus a été dûment livré.)				

This receipt must be signed by: (1) the addressee; or, (2) a person authorized to sign under the regulations of the country of destination; or, (3) if those regulations so provide, by the employee of the office of destination. This signed form will be returned to the sender by the first mail.
(Cet avis doit être signé par le destinataire ou par une personne y autorisée en vertu des règlements du pays de destination, ou, si ces règlements le permettent, par l'agent du bureau de destination, et renvoyé par le premier courrier directement à expéditeur.)

Postmark of the office of destination (Timbre du bureau de destination)

PS Form 2865, March 2007 (Reverse) PSN 7530-01-000-9775



COPY

COPY

In the Court of Common Pleas, Medina County, Medina, Ohio

Notice of Failure of Service

Case Number:19CIV0835

CURTIS M FIFNER
DONAHEY DEFOSSEZ & EVANS
495 S HIGH STREET STE 300
COLUMBUS, OH 43215

JUSTIN KRENDL -VS- INTERMARK TRANSPORT

You are hereby notified of the failure of service upon:

PETRISOR BOGDAN ADRIAN
7000 AV RONSARD
ANJOU, QUEBEC, CN H1J1Y5

Reason:
INCOMPLETE ADDRESS
SUMMONS AND COMPLAINT

By:

☒ Registered Mail
☐ Regular Mail with Certificate of Mailing
☐ Medina County Sheriff
☐ Process Server
pursuant to Rule 4 through Rule 4.6 of Ohio Rules of Civil Procedure.

September 24, 2019



DAVID B. WADSWORTH

Clerk of Courts
93 Public Square
Medina, OH 44256

HC
Deputy Clerk

IN THE COURT OF COMMON PLEAS
MEDINA COUNTY, OHIO

JUSTIN KRENDL, Administrator of the
Estate of Matthew Krendl, deceased,

Plaintiff,

v.

INTERMARK TRANSPORT, et al.

Defendants.

CASE NO.: 19CIV0835

JUDGE: JOYCE V. KIMBLER

**NOTICE OF REMOVAL TO FEDERAL
COURT**

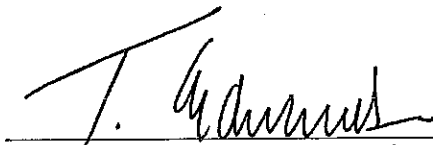
TO: Clerk of the State Court of Medina County, Ohio
93 Public Square
Medina, Ohio 44256

TO: Plaintiff Justin Krendl, Administrator of the Estate of Matthew Krendl, and his attorneys
Curtis M. Fifner, Esq. and Mark E. Defossez, Esq.

PLEASE TAKE NOTICE on September 30, 2019, Defendants Intermark Transport and
Petrisor Bogdan Adrian duly filed a Notice of Removal, a copy of which is attached hereto as
Exhibit A, removing this action in its entirety to the United States District Court for the Northern
District of Ohio, Eastern Division pursuant to 28 U.S.C. § 1441.

DATED this 30th day of September, 2019.

LEWIS BRISBOIS BISGAARD & SMITH LLP



Theresa A. Edwards (0090971)

Bradley J. Barmen (0076515)

LEWIS BRISBOIS BISGAARD & SMITH LLP

1375 E. 9th Street, Suite 2250

Cleveland, Ohio 44114

Tel. 216.344.9422 Fax 216.344.9421

Tera.Edwards@lewisbrisbois.com

Brad.Barmen@lewisbrisbois.com

*Counsel for Defendants Intermark Transport and
Petrisor Bogdan Adrian*



CERTIFICATE OF SERVICE

I hereby certify on this 30th day of September, 2019, a true and correct copy of the foregoing was sent to the Clerk of Courts for filing, and a copy was sent via electronic mail to the following:

Curtis M. Fifner, Esq.

Mark E. Defossez, Esq.

Donahey, Defossez & Evans

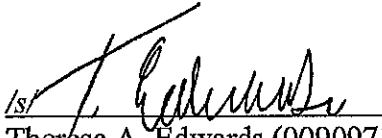
495 S. High Street, Suite 300

Columbus, Ohio 43215

cfifner@donahey.com

mdefossez@donahey.com

Counsel for Plaintiff

A handwritten signature in black ink, appearing to read 'T. Edwards', is written over a horizontal line.

Theresa A. Edwards (0090971)

Bradley J. Barmen (0076515)

LEWIS BRISBOIS BISGAARD & SMITH LLP

*Counsel for Defendants Intermark Transport and
Petrisor Bogdan Adrian*